

**IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*  
State Engineer**

**Plaintiff,**

**v.**

**RAMON ARAGON, *et al.*,**

**Defendants.**

**69cv07941 JEC-ACE**

**RIO CHAMA STREAM SYSTEM  
Rio Gallina, Section 5**

**REQUEST FOR PRETRIAL CONFERENCE**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and respectfully requests the Special Master to hold an immediate pretrial conference with the State and the defendants named below, and in support of this request states as follows:

1. The Pretrial Order for Litigation of Remaining Individual Subfiles and Water Rights Claims in Section 5 of the Rio Chama Stream System (Docket No. 6699) entered May 3, 2002, requires all Group "B" Defendants to make initial discovery disclosures to the State no later than July 30, 2002. *See* Pretrial Order ¶ II.

2. The following Group "B" defendants have failed to make the required exchange of discovery information despite recent letters by the State sent to the defendants requesting the exchange of information:

ELI MAESTAS CHGA-002-0051

JOSE L. CHACON CHGA-003-0031

ESTATE OF EDUVIGEN CHGA-004-0005  
SERRANO

MARTHA CORDOVA	CHGA-005-0001
FRANCES CORDOVA	CHGA-005-0002
LEO CHAVEZ	CHGA-005-0002
ONOFRE SANCHEZ	CHGA-005-0003
TOMAS SANCHEZ	CHGA-005-0003
RICHARD HARVEY	CHGA-005-0005

3. Under Rule 16(f), if a party fails to obey a scheduling or pretrial order, or if no appearance is made on behalf of a party at a scheduling or pretrial conference, the court may make such orders with regard thereto as are just, including any of the orders provided in Rule 37(b)(2)(B),(C), (D).

4. The above named defendants were not part of the state's original hydrographic survey. The defendants all submitted statements of claims to the court. The state has not offered to recognize water rights in favor of any of these defendants, and has proposed that the court adjudicate their claims for water rights as "No Right."

WHEREFORE the State respectfully requests that the court schedule an immediate pretrial conference with the above named defendants to establish control over the exchange of discovery information. Further, the State requests that the court adjudicate the claims of the above named defendants as "No Right" or without water rights in the event that the defendants fail to attend the conference.

DATED: August 23, 2002

Respectfully submitted,

/electronic signature/

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**CERTIFICATE OF SERVICE**

I certify that a copy of the above Request for Pretrial Conference was mailed to the following persons on August 23, 2002.

/electronic signature/  
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